

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 2:19-cr-00023

KYLE JOSEPH ANICKA,

Defendant.

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**ORDER OF DETENTION**

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in an Indictment with conspiracy to distribute and to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 846, and 841(a)(1). Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis the he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on October 25, 2019, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention regarding danger to the community. The Court also finds, as explained on

the record, that the government has sustained its burden of proving, by preponderant evidence, that defendant poses a significant risk of non-appearance and by clear and convincing evidence that he is a danger to the community. Further, the Court finds that there is no condition or combination of conditions of release that will ensure the safety of the community or the appearance of the defendant. Accordingly,

**IT IS ORDERED** that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on October 25, 2019.

Date October 25, 2019

/s/ Phillip J. Green  
PHILLIP J. GREEN  
United States Magistrate Judge